

HOUSE BILL 440
By Bowers

AN ACT to amend Tennessee Code Annotated, Title 4, relative to review of certain governmental entities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, is amended by adding sections 2 through 7 of this act as a new chapter thereto.

SECTION 2. There is hereby created the commission for efficient government, hereinafter referred to as the "commission".

SECTION 3.

(a) The commission shall consist of nine (9) members, each of whom shall be a resident of the state and shall possess good moral character.

(b)

(1) Three (3) of the members shall be appointed by the governor;

(2) Three (3) of the members shall be appointed by the speaker of the house; and

(3) Three (3) of the members shall be appointed by the speaker of the senate.

(c) Initially one (1) member appointed by the governor and each of the speakers shall serve terms for two (2) years, one (1) member appointed by the governor and each of the speakers shall serve terms for three (3) years, and one (1) member appointed by the governor and each of the speakers shall serve terms for four (4) years. Thereafter each member shall be appointed for terms as provided in subsection (d).

(d) Every member of the commission shall be appointed for a term of four (4) years and until a successor is appointed and qualifies by subscribing to the constitutional oath of office, which shall be filed with the secretary of state.

(e) Any vacancy occurring on the commission shall be filled for the unexpired term by the person who made the original appointment.

(f) No members shall be appointed to succeed themselves for more than one (1) full term.

(g) In making appointments to the commission, the governor shall strive to ensure that at least one (1) person serving on the commission is sixty (60) years of age or older and that at least one (1) person serving on the commission is a member of a racial minority.

SECTION 4.

(a) Upon qualification of the members appointed, the commission shall organize itself by selecting from its members a chair and a vice chair, and shall have the power to do all things necessary and proper for carrying out the provisions of this act not inconsistent with the laws of this state. The commission may promulgate and adopt such bylaws, rules, and regulations as are reasonably necessary for such purpose. The promulgation and adoption of rules and regulations authorized by this section shall be pursuant to the provisions of the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(b) The commission, or any committee thereof, shall be entitled to the services of the office of the comptroller, in connection with the affairs of the commission.

SECTION 5. The commission shall review fees of all state governmental entities, including boards, commissions, committees, and panels. The commission shall ensure compliance with the provisions of § 4-29-121, as well as compliance by all other such agencies.

SECTION 6. Any governmental entity that is not collecting fees in an amount sufficient to pay the costs of such entity shall be reported to each speaker, the governor, the chairs of the senate and house government operations committees, and the chairs of the senate and house state and local government committees, along with a recommendation of an appropriate fee increase to pay the costs of such entity. Such report shall be made by January 15 of each year.

SECTION 7. Members of the commission shall serve without compensation but shall be entitled to receive travel expenses. All reimbursement for travel expenses shall be in accordance with the provisions of the comprehensive travel regulations promulgated by the department of finance and administration and approved by the attorney general and reporter.

SECTION 8. Tennessee Code Annotated, Section 4-29-226(a), is amended by adding a new item thereto, as follows:

() Commission for efficient government, created by section 2 of this act;

SECTION 9. This act shall take effect upon becoming a law, the public welfare requiring it.